

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS NO. 218 OF 2021**

Dharmendra Kumar, S/o Shri Netram, aged about 38 years, posted as Head Constable (Nursing), Office of Commandant, 8th Battalion (I/R), Chhattisgarh Armed Force, Rajnandgaon (CG)

... Petitioner**versus**

1. State of Chhattisgarh, through Secretary, Health and Family Welfare Department, Mahanadi Bhawan, Mantralaya, Nava Raipur, District Raipur (CG)
2. The Director, Directorate Health Services, Indrawati Bhawan, 3rd Floor, Nava Raipur, District Raipur (CG)
3. The Collector, District Balod (CG)
4. The Chief Medical and Health Officer, Balod, District Balod (CG)

... Respondents

For Petitioner	:	Mr. Achyut Tiwari, Advocate.
For Respondents/State	:	Ms. Hamida Siddiqui, Dy. A.G., and Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/02/2021**

1. The defaults pointed out by the Registry of this Court in the instant case stand ignored as of now.
2. Heard the matter finally on admission stage with the consent of learned Counsels appearing for their respective parties.
3. The issue involved in the present Writ Petition is only to the extent whether the Petitioner has been rightly not granted the marks for the experience that he has, while scrutinising his credentials for appointment to the post of District Level Gramin Swasthya Sanyojak (Male)/MPW (Male).
4. Learned Counsel for Petitioner submits that on 14.8.2020 the Respondents had issued an Advertisement for filling up of regular vacancy for the post of District Level Gramin Swasthya Sanyojak (Male)/MPW (Male), pursuant to which the Petitioner submitted his application form along with experience certificate at District Balod where total 15 posts were advertised. Contention of learned Counsel for Petitioner is that the Petitioner is working as Head Constable (Nursing) in the clinic of 8th Battalion (I/R), Chhattisgarh Armed Force, District Rajnandgaon since 2010 and thus he has an experience of more than 10 years

and therefore he is entitled for the maximum marks for the experience that he has, but he has not been awarded any marks for the same. According to learned Counsel for Petitioner, the Petitioner immediately raised an objection in this regard with the authorities concerned but the same has been rejected by the authorities and now the final merit list has also been published by the authorities which is in contravention to clause 21.3 of the Advertisement.

5. Given the facts and circumstances that the Petitioner has narrated in the Writ Petition, this Court is of the opinion that no fruitful purpose would be served in keeping the Writ Petition pending, rather ends of justice would meet if the Writ Petition is disposed of at this juncture directing the Petitioner to approach Respondents No. 2 & 4 by way of a fresh representation to be made within a period of 10 days and Respondents No. 2 & 4 in turn shall consider the same and shall also duly scrutinise the documents submitted by the Petitioner along with his application so far as his experience and awarding of marks for experience is concerned and then an appropriate decision shall be taken within an outer limit of 60 days from the date of receipt of representation of Petitioner. The decision of Respondents No. 2 & 4 should be communicated to Petitioner also promptly.

6. With the aforesaid direction/observation, the Writ Petition stands disposed of.

Sd/-

(P. Sam Koshy)
JUDGE

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